

In the United States Court of Federal Claims

Filed: February 12, 2018

IN RE DOWNSTREAM ADDICKS
AND BARKER (TEXAS) FLOOD-
CONTROL RESERVOIRS

Sub-Master Docket No. 17-9002L

THIS DOCUMENT APPLIES TO:

ALL DOWNSTREAM CASES

ORDER REGARDING SHORT FORM COMPLAINT FOR PLAINTIFFS WITH DOWNSTREAM CLAIMS

On January 29, 2018, the court issued Case Management Order No. 5, wherein the court directed “Downstream Co-Lead Counsel and counsel for the Government [to] meet and confer for the purpose of drafting a mutually-agreeable Short Form Complaint adopting the Master Complaint” and to provide the court with a jointly proposed Short Form Complaint by February 2, 2018. ECF No. 27 at 2.

On February 2, 2018, Downstream Co-Lead Counsel and the Government independently filed competing motions requesting that the court adopt their respective versions of the Short Form Complaint. ECF Nos. 33, 34.

On February 6, 2018, the court convened a status conference, during which the parties discussed their pending February 2, 2018 Motions and reached an agreement regarding the content of the Short Form Complaint.

On that same day, the court issued an Order directing the parties to file a jointly proposed Short Form Complaint by February 9, 2018. ECF No. 38. On February 9, 2018, the parties filed a Joint Proposal For Short-Form Complaint. ECF No. 43.

After consideration of the parties’ February 9, 2018 Joint Proposal For Short-Form Complaint, the court has determined that the attached Plaintiff’s Short Form Complaint will serve as the Short Form Complaint for plaintiffs with downstream claims.

IT IS SO ORDERED.

s/ Susan G. Braden
Susan G. Braden
Chief Judge

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

In re DOWNSTREAM ADDICKS)	
AND BARKER (TEXAS) FLOOD-)	
CONTROL RESERVOIRS)	
)	
)	Sub-Master Docket No. 1:17-9002L
)	
)	
THIS DOCUMENT RELATES TO:)	
)	
(STYLE OF DOWNSTREAM CASE))	

PLAINTIFF’S SHORT FORM COMPLAINT

By submitting this document, Plaintiff(s) adopts and incorporates by reference the Consolidated And Amended Downstream Master Complaint (ECF No. 23) filed in the above-styled Sub-Master Docket on January 16, 2018, and all subsequent amendments to that Complaint. The Plaintiff’s Short Form Complaint is deemed Plaintiff’s Original Complaint if it is plaintiff’s original pleading, and must be filed as a new complaint through the Court’s CM/ECF system.

If Plaintiff has previously filed an Original Complaint, the filing of a Plaintiff’s Short Form Complaint amends and supersedes any prior complaint filed by the below-listed Plaintiff(s) *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L and/or *In re Downstream Addicks and Barker (Texas) Flood-Control Reservoirs*, Sub-Master Docket No. 17-9002L.

1. Name of Plaintiff(s): _____

2. Location by address of Plaintiff(s) property subject to Plaintiff(s) allegations of a Fifth Amendment taking without just compensation as a result of Addicks/Barker reservoir

releases: _____

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- a. Tax number for identified property: _____
- b. Real property interest possessed by Plaintiff(s) alleged to have been taken
Ownership (*i.e.*, fee simple) _____ Leasehold _____ Other _____
- c. Manner of alleged taking of the property interest(s) listed in paragraph 2(b) above
Temporary _____ Permanent _____ Both _____
3. Type of property alleged to have been taken:
Real Property _____ Personal Property _____ Both _____
4. *Pro Se* Plaintiff or Plaintiff(s) Counsel(s) signature block.